

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF OHIO  
EASTERN DIVISION

R. David Wolfe, on behalf of himself and all  
others similarly situated,

Plaintiff,

vs.

Morry Weiss, et al.,

Defendants.

CASE NO. 1:13-CV-00859

JUDGE SARA LIOI

**DEFENDANT AMERICAN GREETINGS CORPORATION'S MOTION TO DISMISS**

Pursuant to Rules 12(b)(6) and 23.1 of the Federal Rules of Civil Procedure, Defendant American Greetings Corporation (“American Greetings”) moves the Court to dismiss this purported class action. American Greetings does so for the reasons set forth in the Memorandum in Support filed with this Motion.<sup>1</sup>

---

<sup>1</sup> The other defendants in this action have filed their own motions to dismiss. American Greetings incorporates the grounds and arguments set forth in those motions, and supporting memoranda, to the extent applicable to this action as a whole.

Dated: July 8, 2013

Respectfully submitted,

/s/ Michael J. Montgomery

John D. Parker (0025770)

Michael J. Montgomery (0070922)

Kenneth G. Prabucki (0086889)

Baker & Hostetler LLP

3200 National City Center

1900 East Ninth Street

Cleveland, Ohio 44114-3485

Telephone: 216.621.0200

Facsimile: 216.696.0740

jparker@bakerlaw.com

mmontgomery@bakerlaw.com

kprabucki@bakerlaw.com

*Attorneys for American Greetings Corporation*

**CERTIFICATE OF SERVICE**

I hereby certify that on July 8, 2013, a copy of the foregoing *Defendant American Greetings Corporation's Motion to Dismiss* was filed electronically. Notice of this filing will be sent to all parties by operation of the Court's electronic filing system. Parties may access this filing through the Court's system.

/s/ Kenneth Prabucki

Kenneth G. Prabucki (0086889)

*Attorney for American Greetings Corporation*